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HIGH COURT OF JUDICATURE CHHATTISGARH : BILASPUR

SINGLE BENCH : HON'BLE SHRI S.R. NAYAK, CJ.

Contempt Petition No. 92 of 2006

PETITIONER

1. Uday Mahavidyalaya, Through its principal Dr. P.L. Yadav, aged about 47 years S/o Shri G.R. Yadav, Near ITI Colony, Chhawni, Bhilai, district Durg (C.G.)
2. Chhattisgarh Hindi Parishad Samiti, Chhawni Bhilai,, District Durg through its Secretary Dr. Tirath Ram Sahu, aged about 30 years, S/o Dhanush Ram Sahu, resident of Chhawni, Bhilai, District Durg (CG)

Vs.

RESPONDENTS

1. Dr. Laxman Chaturvedi aged about 60 years at present working as a Vice Chancellor, Pt. Ravishankar Shukla University, Raipur District – Raipur (CG)
2. Krishna Kumar Chandrakar, aged about 45 years at present working as a Registrar, Pt. Ravishankar Shukla University, Raipur District – Raipur (CG).

Present : Shri Vishnu Koshta, learned counsel for the petitioners.
Shri Kanak Tiwari, learned Sr. Advocate with Shri Jitendra Pali, learned counsel for the respondents.

ORAL ORDER
(Passed on 24th August, 2006)

The complaint in this writ petition is that the direction issued by this Court in Para 7 of the order dated 03.04.2006 passed in W.P. No.1622 of 2006 has been disobeyed by the third respondent deliberately and wantonly. I do not find any substance in this allegation. Para 7 of the Order reads as follows:

> "(7) In the result and for the foregoing reasons, the writ petition is allowed and the respondents 1 and 2 are directed to forward the list of staff/faculty as approved by the Registrar of the University to the 3rd respondent along with the order of affiliation. It is stated that the petitioners have

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already deposited affiliation fee. If the respondents 1 and 2 require the petitioners to perform any other formalities in the matter of issuing grant of affiliation, the petitioners shall perform the same, and that liberty is reserved to the petitioners."

(2) Now, it transpires that a factually incorrect submission was made before the Court that the petitioner had already deposited affiliation fee. Admittedly, either on the date of the order or till date, the affiliation fee is not deposited with the University. It was not deposited notwithstanding bringing this fact to the notice of the petitioner by the University after the dismissal of the writ petition. The University, according to me, quite rightly has informed the petitioners that the affiliation could not be granted to them because the affiliation fee is not deposited.

(3) Having heard the learned counsel for the petitioners for considerable time and perused the material documents annexed to the contempt petition, I am satisfied that there was absolutely no attempt much less sincere attempt on the part of the petitioner to deposit the affiliation fee. Therefore, it cannot be said that the third respondent has wantonly and deliberately flouted the writ issued by this Court. Hence, notice is discharged and contempt case is closed. No costs.

Sd/-
Chief Justice

Brijesh